

## Glossary: \_\_\_\_\_

**Abandoned Water Right** — A water right which has not been put to *Beneficial Use* for generally five or more years, in which the owner of the water right states that the water right will not be used, or takes such actions that would prevent the water from being beneficially used. Compare to *Forfeited Water Right*.

**Abandoned Well** — A well which is no longer used or a well removed from service; a well whose use has been permanently discontinued or which is in a state of such disrepair that it cannot be used for its intended purpose. Generally, abandoned wells will be filled with concrete or cement grout to protect underground water from waste and contamination.

**Abandonment (Water Right)** — (1) Generally refers to the intentional surrender of a water right by virtue of nonuse. (2) Failure to put a water right to *Beneficial Use* for generally five or more years, in which the owner of the water right states that the water right will not be used, or takes such actions that would prevent the water from being beneficially used. Also see *Abandoned Water Right*. Compare to *Forfeiture (Water Right)*.

**Acre-Feet (AF)** — A unit commonly used for measuring the volume of water; equal to the quantity of water required to cover one acre (43,560 square feet or 4,047 square meters) to a depth of 1 foot (0.30 meter) and equal to 43,560 cubic feet (1,234 cubic meters), or 325,851 gallons.

**Appropriate** — To authorize the use of a quantity of water to an individual requesting it.

**Appropriated Water** — A quantity of water from a well, stream, river, reservoir, or other source reserved for a specific use and place of use under state water-right laws, statutes, or regulations.

**Basin** — (1) (Hydrology) A geographic area drained by a single major stream; consists of a drainage system comprised of streams and often natural or man-made lakes. Also referred to as *Drainage Basin*, *Watershed*, or *Hydrographic Region*. See *Basins [Nevada]*. (2) (Irrigation) A level plot or field, surrounded by dikes, which may be flood irrigated. (3) (Erosion Control) A catchment constructed to contain and slow runoff to permit the settling and collection of soil materials transported by overland and rill runoff flows. (4) (Nautical) A naturally or artificially enclosed harbor for small craft, such as a yacht basin.

**Beneficial Use – Beneficial Use (of Water)** — (1) The amount of water necessary when reasonable intelligence and diligence are used for a stated purpose. (2) A use of water resulting in appreciable gain or benefit to the user, consistent with state law, which varies from one state to another. Most states recognize the following uses as beneficial:

- [1] domestic and municipal uses;
- [2] industrial uses;
- [3] irrigation;
- [4] mining;
- [5] hydroelectric power;
- [6] navigation;
- [7] recreation;
- [8] stock raising;
- [9] public parks;
- [10] wildlife and game preserves.

(3) The cardinal principle of the *(Prior) Appropriation Doctrine*. A use of water that is, in general, productive of public benefit, and which promotes the peace, health, safety and welfare of the people of the State. A certificated water right is obtained by putting water to a beneficial use. The right may be lost if beneficial use is discontinued. A beneficial use of water is a use that is of benefit to the appropriator and to society as well. The term encompasses considerations of social and economic value and efficiency of use. In the past, most reasonably efficient uses of water for economic purposes have been considered beneficial. Usually, challenges have only been raised to wasteful use or use for some non-economic purpose, such as preserving instream values. Recent statutes in some states have expressly made the use of water for

recreation, fish and wildlife purposes, or preservation of the environment a beneficial use. Also see *Appropriative Water Rights*.

**Designated Groundwater Basin [Nevada]** — In the interest of public welfare, the Nevada State Engineer, *Division of Water Resources, Department of Conservation and Natural Resources*, is authorized by statute (Nevada Revised Statute 534.120) and directed to designate a ground water basin and declare *Preferred Uses* within such designated basin. The State Engineer has additional authority in the administration of the water resources within a designated ground water basin. [A listing of Nevada's Hydrographic Regions, and designated Areas and Sub-Areas is presented in the NDWP's *Water Words Dictionary*, (see DWR website: <http://water.nv.gov/>.)]

**Duty** — The total volume of water per year that may be diverted under a vested water right.

**Hybrid System** — A popular term for a system of water allocation incorporating both the *Doctrine of Prior Appropriation* and the *Riparian Doctrine*.

**Hydrographic Area** — In its most general sense, may refer to an defined geographic area, sub-area, sub-basin, basin, region or watershed encompassing the drainage area or catchment area of a stream, its tributaries, or a portion thereof. Typically defined as a study area for analysis or planning purposes in which the land or undersea contours results in surface water flows or measures of elevation draining to a single point. At its smallest extent, a hydrographic area may encompass a single valley containing a single stream system, or a portion of a valley or stream system with distinctive drainage characteristics. At its greatest extent, a hydrographic area may encompass the entire drainage area of a major river system, e.g., the Mississippi River hydrographic area, including all tributary rivers, streams and other sources of surface water flow. Conventionally, a number of hydrographic subareas comprise a hydrographic area whereas a number of hydrographic areas comprise a hydrographic basin or region.

**Hydrographic Region [Nevada]** — Nevada has been divided into 14 hydrographic regions or basins, which are now used by the Nevada Division of Water Resources, Department of Conservation and Natural Resources, and the U.S. Geological Survey (USGS) to compile information pertaining to water resources and water use. These regions are also further subdivided into 232 *Hydrographic Areas* (256 Hydrographic Areas and Sub-Areas, combined) for more detailed study. See *Basins [Nevada]*, for a complete listing and description of Nevada's 14 Hydrographic Regions.

**Federal Reserved Water Rights** — A category of federal water rights, created by federal law. These rights are created when the federal government withdraws land from the public domain to establish a federal reservation such as a national park, forest, or Indian reservation. By this action, the government is held to have reserved water rights sufficient for the primary purpose for which the land was withdrawn. Also see *Winters Rights (Decision)*, *Reservation Doctrine*, *Reserved Rights Doctrine*, and *Winters Doctrine*, and *Water Law [Federal]*.

**Forfeiture (Water Right)** — (1) The loss of a water right through nonuse for a specified period of time (5-consecutive years of non-use); can occur involuntarily. (2) The invalidation of a water right because of five or more consecutive years of nonuse. Compare to *Abandonment (Water Right)*.

**Perennial Yield (Ground Water)** — The amount of usable water of a ground water reservoir that can be withdrawn and consumed economically each year for an indefinite period of time. It cannot exceed the sum of the *Natural Recharge*, the *Artificial (or Induced) Recharge*, and the *Incidental Recharge* without causing depletion of the groundwater reservoir. Also referred to as *Safe Yield*.

**Perfected Water Permit** — A permit issued after the permittee has initiated *Beneficial Use* of water in accordance with the terms and conditions of the conditional water permit. The perfected water permit is the instrument of conveyance of a water right.

**Permit, Water [Nevada]** — The written permission from the state engineer to appropriate public waters for a beneficial use from a surface or underground source, at a specific point of diversion, under limited circumstances. If all requirements of the permit are satisfied, then the permit for water appropriation can

mature into a license or *Perfected Water Right*. Also see *Permitted Water Right [Nevada]*, and *Application, Water Right*.

**Point of Diversion** — The point from which water is diverted from a source.

**Point(s) of Diversion** — Broadly, the point(s) specified in a water right permit from which water is diverted from a source. Also refers to a river, stream, canal, or reservoir where irrigation water is diverted into an irrigation project.

**Point-of-Use (POU) Treatment Device** — (Water Quality) An approach to the management of the quality of drinking water that locates a water treatment device at the faucet in an individual household. Such devices are sometimes used in homes supplied by a private well that does not meet drinking water standards.

**Prescriptive Water Rights** — Water rights which are acquired by diverting water and putting it to use in accordance with specified procedures, e.g., filing a request with a state agency to use unused water in a stream, river, or lake.

**Prior Appropriation Doctrine** – (1) A concept in water law under which a right to a given quantity of water is determined by such a procedure as having the earliest *Priority Date*. (2) The system for allocating water to private individuals used in most of the western United States. The doctrine of *Prior Appropriation* was in common use throughout the arid west as early settlers and miners began to develop the land. The prior appropriation doctrine is based on the concept of "*First in Time, First in Right*". The first person to take a quantity of water and put it to *Beneficial Use* has a higher priority of right than a subsequent user. Under drought conditions, higher priority users are satisfied before junior users receive water. Appropriative rights can be lost through nonuse; they can also be sold or transferred apart from the land. Contrasts with *Riparian Doctrine* and *Riparian Water Rights*. Also see *Littoral Water Rights* and *Prescribed Water Rights*.

**Public Supply Water** — (1) Water withdrawn for all users by public and private water suppliers and delivered to users that do not supply their own water. (2) Water withdrawn by and delivered to a public water system regardless of the use made of the water. Includes water supplied both by large municipal systems and by smaller quasi-municipal or privately-owned water companies. Water suppliers provide water for a variety of uses, such as *Domestic Water Use* (also referred to as *Residential Water Use*), *Commercial Water Use*, *Industrial Water Use*, *Thermoelectric Power Water Use* (domestic and cooling purposes), and *Public Water Use*.

**Riparian Doctrine** — The system for allocating water used in England and the eastern United States, in which owners of lands along the banks of a stream or water body have the right to *Reasonable Use* of the waters and a *Correlative Right* protecting against unreasonable use by others that substantially diminishes the quantity or quality of water. The right is appurtenant to the land and does not depend on prior use. Under this doctrine, ownership of land along a stream or river (i.e., riparian lands) is an absolute prerequisite to a right to use water from that body of water and each such landowner has an equal right to withdraw "reasonable" amounts of water (whether or not he is presently using it or not) so long as downstream landowners are not unreasonably damaged. Contrast with *Prior Appropriation Doctrine*.

#### Acronyms: \_\_\_\_\_

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| AF   | Acre-Feet or Acre-Foot  |
| cfs  | cubic feet per second   |
| DWR  | (Nevada) Division of Water Resources  |
| GPS  | Global Positioning System   |
| NRS  | Nevada Revised Statutes   |
| MGA  | Million Gallons Annually  |
| MOU  | Manner of Use   |
| .pdf | portable document format (Adobe specification for electronic documents <sup>1</sup> ) |
| PBU  | Proof of Beneficial Use   |
| POD  | Point of Diversion  |

POU Point of Use  
PVC Poly Vinyl Chloride (thermoplastic resin<sup>1</sup>)  
TCD Total Combined Duty  
USGS United States Geological Survey

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